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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Margaret P. Grafeld, Director
(X) Release () Excise () Deny

Exemption(s):
Declassify: () In Part (X) In Full DECLASSIFIED
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Date Declassify on Reason

[REDACTED] BUENOS AIRES 4156

E.O. 12065: N/A
TAGS: SHUM, AR
SUBJECT: WESTERKAMP RELEASED

REF: BUENOS AIRES 4104

1. HUMAN RIGHTS ACTIVIST JOSE WESTERKAMP WAS RELEASED FROM RAWSON JAIL JULY 13 AFTER BEING DETAINED JULY 10 BY ORDER OF A FEDERAL JUDGE WHO FELT WESTERKAMP'S CRITICISM OF THE JUDICIAL SYSTEM REFLECTED BADLY ON THE JUDGE PERSONALLY. THE HUMAN RIGHTS CAMPAIGNER, IN RAWSON TO SEE HIS SON GUSTAVO WHO HAS BEEN HELD IN THE PRISON THERE SINCE 1975 AT THE DISPOSITION OF THE EXECUTIVE BRANCH (P.E.N. PRISONER), HAD SPECIFICALLY CRITICIZED FEDERAL JUDGE OMAR GARZONIO AS "INOPERATIVE". HE SAID THE JUDGE HAD NOT ACTED ON SEVERAL WESTERKAMP APPEALS FOR JUDICIAL INTERVENTION TO IMPROVE THE LOT OF POLITICAL PRISONERS HELD AT RAWSON. THE JUDGE USED THE LEGAL DEVICE OF "DESACATO", OR SHOWING LACK OF RESPECT TO A REPRESENTATIVE OF THE STATE, TO HAVE WESTERKAMP HELD.

2. ANOTHER FEDRERLAL JUDGE, ESTEBAN CERRA, HEARD ARGUMENTS IN THE CASE JULY 12 AND 13 AND THEN ORDERED THE

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DEFENDANT RELEASED YESTERDAY AFTERNOON. CERRA RULED, HOWEVER, THAT GARZONIO'S CHARGES WERE NOT OVERTURNED, WOULD CONTINUE UNDER HIS REVIEW, AND MAY REQUIRE.

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ANOTHER APPEARANCE IN COURT BY WESTERKAMP. IN THE MEANTIME, HE WAS ALLOWED TO GO FREE UNDER A FORM OF PAROLE. WESTERKAMP IS STAYING IN RAWSON TO RESUME VISITS WITH HIS SON.

3. EMILIO MIGNONE, HEAD OF THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS) WHO HANDLED WESTERKAMP'S DEFENSE, RETURNED TO BUENOS AIRES LATE JULY 13. HE TOLD AN EMBOFF TODAY HE IS OPTIMISTIC THAT CERRA WILL DROP THE CASE AND THAT "HARRASSMENT" OF WESTERKAMP BY JUDGE GARZONIO WILL NOT BE REPEATED. WITH THE INTERNATIONAL PUBLICITY ABOUT THE ARREST AND PROTESTS BY HUMAN RIGHTS LEADERS, MIGNONE SAID GARZONIO PROBABLY FEELS A BIT STUNG. THE JUDGE ALSO IS IN TROUBLE WITH THE PROVINCIAL PRESS FOR ORDERING REPORTERS' TAPES OF WESTERKAMP'S OFFENDING REMARKS SEIZED AS EVIDENCE TO SUPPORT HIS DESACATO CHARGE. MIGNONE SAID THE LOCAL NEWSPAPERS ARE RESENTFUL THAT GARZONIO INTERFERED WITH FREEDOM OF THE PRESS. SHLAUDEMAN

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